

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

IN RE:)	CHAPTER 13
ANNIE INEZ BROOKS,)	
DEBTOR)	CASE NO.: 18-59964-PMB
)	
)	
<hr/>		
MELISSA J. DAVEY,)	
STANDING CHAPTER 13 TRUSTEE,)	
)	
MOVANT)	
)	CONTESTED MATTER
vs.)	
)	
P&C COMPANY AUTO SALES,)	
)	
RESPONDENT)	

OBJECTION TO PROOF OF CLAIM OF P&C COMPANY AUTO SALES, CLAIM #18

COMES NOW, Melissa J. Davey, Standing Chapter 13 Trustee, and files this Objection to the proof of claim of Creditor and shows the Court as follows:

1.

Debtor filed this case under Title 11 on June 14, 2018. This is a core proceeding under 28 U.S.C. §157(b)(2).

2.

Creditor filed its proof of claim on May 15, 2019 (Claim Register #18 & Trustee Claim #35).

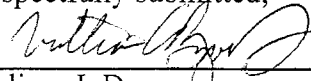
3.

Creditor purports to have the right to a secured claim. The claim alleges a security interest in property of the Debtor. However, no evidence of perfection was attached to said claim as required by Fed. R. Bankr. P. 3001(d). The claim should not be treated as secured for the purposes of distribution.

WHEREFORE, Trustee respectfully requests that this Honorable Court enter an order sustaining the objection, denying the claim as secured, allowing the claim as general unsecured, and for such other relief as this Court deems just and proper.

Dated: June 20, 2019

Respectfully submitted,

/s/ 
So Melissa J. Davey 0740530
Standing Chapter 13 Trustee
Georgia Bar No. 206310
260 Peachtree Street, NW Suite
200
Atlanta, GA 30303
(678) 510-1444 Phone
(678) 510-1450 Fax

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

IN RE:) CHAPTER 13
ANNIE INEZ BROOKS,)
DEBTOR) CASE NO.: 18-59964-PMB
)
)

MELISSA J. DAVEY,)
STANDING CHAPTER 13 TRUSTEE,)
)
MOVANT) CONTESTED MATTER
)
vs.)
)
P&C COMPANY AUTO SALES,)
)
RESPONDENT)

NOTICE OF HEARING

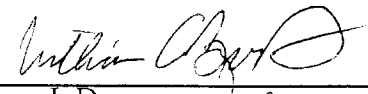
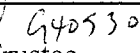
PLEASE TAKE NOTICE that Melissa J. Davey, Standing Chapter 13 Trustee, has filed an Objection to Claim number 18 filed by P&C COMPANY AUTO SALES and related papers with the Court seeking an order disallowing the claim as secured and allowing it as a general unsecured claim.

PLEASE TAKE FURTHER NOTICE that the Court will hold a hearing on the Objection to Claim in **Richard B. Russell Building, 75 Ted Turner Drive S.W., Courtroom Courtroom 1202, Atlanta, GA 30303, at 10:00 am on July 25, 2019.**

Your rights may be affected by the Court's ruling on these pleadings. You should read these pleadings carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.) If you do not want the Court to grant the relief sought in these pleadings or if you want the Court to consider your views, then you and/or your attorney must attend the hearing. You may also file a written response to the pleading with the Clerk at the address stated below, but you are not required to do so. If you file a written response, you must attach a certificate stating when, how, and on whom (including addressess) you served the response. Mail or deliver your response so that it is received by the Clerk at least two business days before the hearing. The address of the **Clerk's Office is Clerk, United States Bankruptcy Court, Richard B. Russell Building, 75 Ted Turner Drive S.W., Room 1340, Atlanta, GA 30303.** You may also mail a copy of your response to the undersigned at the address stated below.

Dated: June 20, 2019

Respectfully submitted,

/s/ 
for Melissa J. Davey 
Standing Chapter 13 Trustee
Georgia Bar No. 206310
260 Peachtree Street, NW Suite
200
Atlanta, GA 30303
(678) 510-1444 Phone
(678) 510-1450 Fax

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

IN RE:)	CHAPTER 13
ANNIE INEZ BROOKS,)	
DEBTOR)	CASE NO.: 18-59964-PMB
)	
)	
<hr/>		
MELISSA J. DAVEY,)	
STANDING CHAPTER 13 TRUSTEE,)	
)	
MOVANT)	CONTESTED MATTER
)	
vs.)	
)	
P&C COMPANY AUTO SALES,)	
)	
RESPONDENT)	

CERTIFICATE OF SERVICE

This is to certify that I have on this day electronically filed the foregoing Objection to Proof of Claim and Notice of Hearing using the Bankruptcy Court's Electronic Case Filing program, which sends a notice of these documents and an accompanying link to these documents to the following parties who have appeared in this case under the Bankruptcy Court's Electronic Case Filing program:

E. L. Clark ecfnotices@cw13.com, cwatlantabk@gmail.com

I further certify that on this day I caused a copy of these documents to be served via with adequate postage prepaid on the following parties set forth below at the address shown for each.

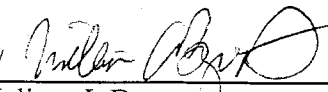
DEBTOR(S):
ANNIE INEZ BROOKS
P.O. Box 870222
Morrow, GA 30287

CREDITOR:
P&C COMPANY AUTO SALES
P.O. BOX 741354
RIVERDALE, GA 30274

NOTICE ADDRESSES:

KRISTINA HALL/GENERAL MANAGER
P.C. & CO. AUTO SALES INC
7485 TARA BLVD
JONESBORO, GA 30236

Dated: June 20, 2019

for /s/ 
Melissa J. Davey 942530
Standing Chapter 13 Trustee
Georgia Bar No. 206310
260 Peachtree Street, NW Suite
200
Atlanta, GA 30303
(678) 510-1444 Phone
(678) 510-1450 Fax